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those whose sympathies and experience were broad enough to enable them to play a mediatorial part.

It was, doubtless, with a view to exhibit this aspect of the matter that the author of the present work has devoted so much of his narrative to an account of the attitude of France towards the War of Independence. Whilst it will never be possible to supplant the magnificent work of Doniol as a history of the participation of France in the establishment of the independence of the United States, Mr. Tower has written a full and clear narrative of the alliance which will be read by many who would be daunted by Doniol's massive tomes, and which may also serve as an aid to those who desire to examine them. Sometimes, indeed, we seem almost to lose sight of La Fayette in the abundance of historical details. But this is a matter of proportion on which it is unnecessary to place great emphasis, since it has not resulted in any neglect of facts which are strictly relevant to the author's principal subject.

Mr. Tower properly assigns an important place to La Fayette's visit to France after his first period of service in America. The failure of the expedition of d'Estaing, and the consequent disappointment felt in both countries over the first-fruits of the alliance, called for the employment of good offices, which no one was so well fitted as La Fayette to afford. In this emergency Congress exhibited its sense of La Fayette's value not only by expressing appreciation of what he had already done, but also by investing him with extensive representative functions. America at this time stood in sore need of assistance, and it was within the power of La Fayette materially to contribute to obtaining it. When "he turned his face once more toward America," a new expedition "was assured, and the measures for its equipment were systematically undertaken"; and in securing the adoption of this measure La Fayette exerted an important, if not a decisive, influence.

Nor should we omit to notice the picture presented of La Fayette's relations to Washington—relations which were characterized on the part of the latter by a paternal confidence, and on the part of La Fayette by an unvarying loyalty. Indeed, they well illustrate La Fayette's constant attitude toward the American cause, from his first presentation to Congress to the surrender at Yorktown.

On the whole it may be said that Mr. Tower has produced a work which forms a worthy memorial of the interesting subject to which it relates.

JOHN BASSETT MOORE.

*The French in America during the War of Independence of the United States, 1777-1783.* A translation by Thomas Willing Balch, of *Les Français en Amérique pendant la Guerre de l'Indépendance des États-Unis*, par THOMAS BALCH. (Philadelphia: Porter and Coates. 1891, 1895. Two vols., pp. xv, 243,

iv, 252. Vol. II. translated by Edwin Swift Balch and Elise Willing Balch.)

MR. THOMAS BALCH, whose wide acquaintance with the French language and literature gave him the necessary equipment for an historical study of this character, began some thirty years ago an examination of the documents relating to the French expeditions during our Revolution. A long residence in France, where his social relations opened exceptional opportunities, enabled him to collect the material from which has issued the book now before us.

Mr. Balch published the first volume of his work in the French language, at Paris, in the year 1872, at which time he promised soon to follow it with the second volume, the manuscript of which was then finished. He announced that he had received whilst his book was in the press so many interesting communications which he desired to add to the second volume, that he found himself obliged to withhold the latter for a limited time, in order that the text might be amended and improved. He did not live, however, to carry out his purpose.

The first volume was translated into English and published at Philadelphia, by his son, Mr. Thomas Willing Balch, in 1891; and now we have a new edition, published also at Philadelphia, to which the second volume has been added, from a translation of their father's original manuscript, by Mr. Edwin Swift Balch and Miss Elise Willing Balch.

The purpose of the author was, to present in his first volume the causes and the origin of the war, to sum up the events relating to it which occurred up to and including the year 1781, and to give a complete account of the French forces under General de Rochambeau as far as 1783. His second volume was intended to contain historical accounts of the French regiments which served in America; biographical notices of the French officers who fought on land and sea for the independence of the United States; and several episodes and details relating to American society at that period, taken from unpublished manuscripts and original letters to which Mr. Balch had access in France.

As a result, he has collected a mass of valuable material pertaining to his subject which heretofore has been scattered through the pages of various memoirs, biographical notices, and unpublished correspondence, and he has made of it a connected narrative which contains more detailed information in regard especially to the detachment of Rochambeau than is to be found in any single work which we possess. He has been particularly fortunate in obtaining copies of some unpublished journals of officers who served in the American War, and in examining others which he did not copy; and it is to be regretted that he has not edited and published some of these documents as a valuable addition to our fund of historical detail of that period. Students of American history would welcome such a contribution if either of the Messrs. Balch or Miss Elise Balch should undertake that task with the aid of their father's papers.

The opening chapters of Mr. Balch's work suggest a foreign rather than an American audience. As it was published in French, to be read by Frenchmen, it furnishes, not unreasonably, an amount of early colonial history which he would probably not have thought it necessary to introduce if he had intended his volumes merely for his own countrymen.

From the author's discussion of the causes of the war, a foreigner unfamiliar with the subject of the American Revolution might receive somewhat too strongly the impression that the contest with the mother-country was based mainly upon questions of religious thought and principle. Taken in its proper meaning, however, the author's argument that the development of freedom in religious thought prepared the way naturally for the growth of political liberty, presents the situation as it was and will meet with the assent of students of philosophy.

In tracing the causes which led to the participation of France in the American Revolution, Mr. Balch points out very justly that it was hatred of England, the smarting of unhealed wounds received in the Seven Years' War, rather than a natural sympathy with the colonists in their uprising against the sovereign, which arrayed our allies upon our side in the conflict. He recalls the prophecy of the Duc de Choiseul, years before the Declaration of Independence, that an American revolution certainly would come, though possibly those then living might not see it; and that its force would reduce England to a state of weakness in which she would no longer be an object of fear. This remarkable prediction of the minister of Louis XV. expressed the most cherished hope of all Frenchmen; it marked the starting-point of the interest which the government of France took in the struggle of the remote colonies upon the continent of North America. The thought that England might be made to suffer the loss of prestige, the privation of her colonies, and the humiliation of defeat which she had inflicted upon her neighbors across the Channel, inspired the nation with a feeling that, for such a triumph, no sacrifice could be too great. This led to the secret missions of Bonvouloir and de Kalb to test the colonial sentiment upon the first intimation of discontent in America; it opened the doors in France, later, to Silas Deane, when actual hostilities had broken forth; and it welcomed Benjamin Franklin, to clothe him with honor as the representative of an independent and sovereign people.

Mr. Balch has followed these incidents with fidelity, and with sufficient detail to illustrate his narrative, through the various stages of international friendship which ended in the Alliance, offensive and defensive, in 1778. He has gone somewhat too far, however, in declaring that the treaty upon which the Alliance was based "should be attributed in a great degree to the impulse that La Fayette had given to public opinion in France, and to the change of ideas that had been produced in men's minds in consequence of his favorable reports respecting the Americans." This was believed for a long period, indeed, even in France; though the fact is that the influence which La Fayette exerted in the councils of the King's Cabinet, and which had so potent an effect upon the subsequent policy of the Comte de Ver-

gennes, was not felt at all as early as the beginning of the year 1778, when the treaty was signed. We know now that the intervention of France in the American War would have taken place at all events, precisely as it did, if La Fayette had never existed. But it is fair to say that the publication by the French government of the documents in its archives relating to this subject, by means of which we are enabled to make this positive assertion, has taken place since Mr. Balch wrote his book.

It is in connection with the narrative which describes the expedition sent from France under the Comte de Rochambeau, in 1780, that Mr. Balch has presented the most valuable historical material in his book. He has not only followed that detachment through all its movements, down to the capture of Yorktown, but he has made a careful record of the different regiments which composed it, of the officers who commanded in them, and of the rank held respectively by these. He has also enumerated the ships of war which made up the fleet accompanying Rochambeau's expedition, and has given us the number of guns which each carried, as well as the names of the commanding officers. From this point of view *The French in America* is sure to become a useful hand-book to students of history who seek detailed information in regard especially to the military operations in the United States during the years 1780 and 1781. It would have added greatly to the value of the work if Mr. Balch had written in the same manner an account of the expedition of the Comte d'Estaing, engaged in the operations at Newport in 1778, which he barely mentions.

Mr. Balch's second volume is a catalogue of French officers. It bears unmistakable traces of industry and much careful research in the collection of names and in the short biographical descriptions attached to them, of which its pages are made up. The author has sought to include in it every French officer whose name he found mentioned in the many different narratives and notices of the war which have appeared not only in France but elsewhere. He does not confine himself in this case to the command of General de Rochambeau, but he has added, besides the name of the Comte d'Estaing, those of many Frenchmen who, like La Fayette, were serving in the Continental Army as American officers under commissions from Congress; and he has even opened the lines to admit several foreigners who are not properly to be found under the heading given to his list; as, for example, Pulaski, Steuben, and Kosciusko.

CHARLEMAGNE TOWER, JR.

*Cases on Constitutional Law, with notes.* By JAMES BRADLEY THAYER, LL. D., Weld Professor of Law at Harvard University. (Cambridge: Charles W. Sever. 1894, 1895. Two vols., pp. lii, 2434.)

THE increasing attention which is being given in all our American law schools to the study of cases actually decided in court has given birth to a new species of legal literature. The process has been one of evolution.